



Frequently Asked Questions on Manhaj : Part 19

Introduction

All Praise is due to Allaah, we praise Him, seek His aid and His Forgiveness. We seek refuge in Allaah from the evils of our souls and the evils of our actions. Whomsoever Allaah guides there is none to misguide and whomsoever Allaah misguides there is none to guide. I bear witness that there is none worthy of worship except Allaah, alone, without any partners and I bear witness that Muhammad is His servant and messenger.

This is a summarisation of some of the issues of manhaj that have been subject to contention in the current times. The detailed answers and proofs on all the issues addressed in this series can be found on the articles at Wwww.SalafiPublications.Com that are related to these matters. This series is aimed at quickly identifying the issues in a brief, yet concise manner, for the benefit of those who may be unaware of these affairs.

Question 27: What about the takfir of the Tartars and Genghis Khan

The answer to this has been covered in detail in MNJ050018 so refer to it, and it falls back upon the misunderstanding of the Qutubiyyah [Khaarijiyyah Asriyyah] of “tabdeel” and of the true reality of the nature of Genghis Khan, and of the Tartars and of their kufr. Genghis Khan was an original Kaafir, he was not even Muslim, and never was a Muslim. It is also important to note the reality of the Tartars and the reality of their religion. This will help to put into perspective, the statement of Ibn Katheer concerning their takfir:

- Shaikh ul- Islaam Ibn Taymiyyah said, “As the greatest of the Ministers (Spokesmen of the Tartars) to the Muslims – of ash-Shaam - said, while he is addressing the messengers of the Muslims and seeks to get closer to them by saying 'We are Muslims' and then says: **“These two great signs (aayataan adheemataa) came from Allaah, Muhammad and Genghis Khan.”** So this is what those who were sent forth (to the Muslims) used in order to get closer to the Muslims - by making the Messenger of Allaah and the most noble of creation and the chief of the sons of Aadam and the Seal of the Messengers - equal to a king who is a Kaafir, a Mushrik - one who is the greatest of the Mushriks in his disbelief, corruption, and enmity, such as Bukhtunassar and his likes”¹
- Shaikh ul- Islaam Ibn Taymiyyah said, “As for pure nifaaq (hypocrisy), then there is no doubt about the kufr of a person who has this. For he does not consider it to be obligatory to have tasdeeq (assent) in the Messenger (of Allaah) in what he informed (of revelation from Allaah), and nor does he consider it obligatory to obey him in that which he commanded – even though he may alongside this, believe that the Messenger is great and lofty in status, in knowledge and action, and that it is permissible to believe in him and obey him. Yet he says, “There is no harm in the differing religions,

¹ Majmoo' al-Fataawaa (28/521)

when the diety (that is worshipped) is the same one (in all of them)". And he considers that safety and happiness (in the Hereafter) can be attained by following the Messenger and not following the Messenger, either by following the ways of the Philosophers, or the Sabeans, by way of becoming a Christian or a Jew; which is the saying of the Philosophers and Sabeans in this particular issue and other issues. For even if they believe in him (the Messenger) and obey him, they do not actually believe in the obligation of that upon all of the inhabitants of the earth such that the one who abandons believing in him and obeying him will be punished. Rather, they consider the likes of this to be similar to adhering to the madhhab of a particular Imaam, or (following) a tareeqah ([Sufi] order) of a particular Shaikh or obedience to a King. **And this is the religion of the Tartars and whoever entered along with them.**" (Majmoo' al-Fataawaa7/639).

- He also said, "...And that is because the belief (I'tiqaad) of those Tartars in Genghis Khan was mighty indeed - for they used to believe that he was the Son of Allaah similarly to what the Christians believe regarding the Maseeh..."²
- And he continued, "...And they along with this (knowing that he is an illegitimate child, born of zinaa), make him the greatest of Messengers from Allaah in their adoration and aggrandisement of what he prescribed for them and legislated for them from his thoughts and desires - until some of them said regarding the wealth they had : 'This is the sustenance of Genghis Khan' and they would offer thanks to him for their food and drink, and they would make permissible the killing of the one who showed opposition to what this cursed kaafir prescribed for them - this opposer to Allaah, His Prophets and His believing slaves."³
- The statement of Imaam adh-Dhahabi concerning him, "He is the tyrant ruler of the Tartars, and also their very first king... they obeyed him in the manner the companions of a prophet would obey their prophet, in fact in same way that that the sincere servants would show obedience to the Lord of the Worlds... and he died upon their religion and their disbelief."⁴
- And adh-Dhahabee also said, "And he did not used to adhere to the religion of Islaam and nor to other than it, and killing a Muslim was more insignificant to him than killing a flea."⁵

After you have understood the reality of these people, who raised and aggrandised this kaafir (Genghis Khan) and his laws and his judgements, and who venerated them, and gave obedience to him in the manner that they did, such that his law become followed and obeyed and placed on a par, if not equal to that of Allaah and His Messenger, then you will

² Ibid.

³ Ibid.

⁴ Taarikh ul-Islaam (p.128)

⁵ Siyar (22/234) and in Taaj ul-'Aroos there occurs, that "he would not subscribe to any of the religions of the earth" (7/98)

easily understand the Ijmaa' upon their kufr. Take careful note of the saying of Ibn Katheer in the next quote, "so whoever amongst them does this... (faman fa'al dhalikha minhum)", meaning amongst the Tartars.

Ibn Katheer said concerning the tafseer of the verse "**Is it the rule of Jaahiliyyah they seek...**" so he said, "Allaah, the Most High, shows rejection against the one who departs from the overall comprehensive and decisive judgement of Allaah, which comprises all goodness, forbids from every evil, and turns (instead) to what is besides it of the opinions, desires and (customary) usages which men have placed, without any basis from the Sharee'ah of Allaah – similar to what the people of Jaahiliyyah used to judge by, of (laws of) misguidance and ignorance, and which they would devise based upon their own views and desires. Likewise, what the legislator judges by way of the political laws of governance taken from their king, Genghis Khan, who devised the Yaasiq for them. And this is a book that consists of a collection of laws that have been derived from many different legislations, Jewish, Christian, Islamic and others. And there are also many laws therein which he had taken by his mere opinion and desire. And thus it became a followed legislation amongst his offspring, who would put it above and before judgement by the Book and the Sunnah of Allaah's Messenger (sallallaahu alaihi wasallam). Therefore, **whoever amongst them** does this is a Kaafir, it is obligatory to kill him, until he returns to the judgement of Allaah and His Messenger, and does not judge by anything other than it, in either small or great amounts." (Tafseer of 5:50)

So note the saying of Ibn Katheer "whoever amongst them does this"⁶, that is from amongst the Tartars who followed this legislation (of Genghis Khan), putting it above and before the legislation of Allaah – in the manner that they did. And this ruling is applicable to everyone who falls into what they fell into.

Hence, whoever amongst the Muslims (ruler or ruled) takes other than Allaah's Law, as a followed legislation, as a matter of principle, putting it over and above the judgement of Allaah, venerating and aggrandising it (in the manner that the Tartars did with the laws of Genghis Khan), obeying and referring this law with submission and humility, being pleased and satisfied with it in their hearts, considering it to be great and superior to, if not equal to, Allaah's law and so on, then there is no doubt about the kufr of such a one!! Ruler or ruled. This is why Qadafi, the Genghis of Libya, is an Apostate⁷. And likewise, anyone who followed (made ittibaa' of) the neo-Genghite Legislature of Qadhafi (the Ibn Genghis of the Era), in the manner that the Tartars followed the Yasiq of Genghis, venerating it, and placing it over and above the law of Allaah, believing in it, and agreeing to it, then there is no doubt about the kufr of such a one either. And all of this in perfect conformity with the tafseel of the Salaf, in that the takfir of an individual is carried upon this tafseel, such that it is being pleased and satisfied with these laws, considering them to

⁶ Please note that this word "minhum (amongst them)" is often removed, even in some of the printed versions of this tafseer, and it is often omitted, when people quote it.

⁷ Because he has claimed and expressed his satisfaction with his own law above and over Allaah's law, venerating his own law considering it to be decisive and great and superior.

be great and decisive and permissible⁸, showing submission and humility to them, aggrandising and venerating them that necessitates takfir – and not just the mere act of referring to them, since it is plausible for that to occur for other reasons, which are not kufr, and which involve dhulm and fisq⁹. This is similar to the issue of obedience to the Mushriks – in which there is the tafseel which has already preceded earlier in this series in the saying of Shaikh ul-Islaam Ibn Taymiyyah, and also Shaikh Salih al-Shaikh (concerning obedience to the Mushriks and Priests and Rabbis), which is that mere obedience in itself is not Shirk and Kufr.

In reality, there is no proof for the Qutubiyyah, Khaarijiyyah Asriyyah in any of this, and there is no proof for them in fleeing from the tafseel of the Salaf in the likes of these affairs and in passing the judgement of takfir over the rulers or the ruled. And the issue of the Tartars has been used by them to justify unrestricted takfeer, without tafseel. And nor is there in the takfir of the Tartars what they presume and imagine of the justification for unrestricted takfir of those who rule by some of the secular laws in the current times, and their bid to revive the way of the Khawaarij in using the apparent meanings of the verses to justify takfir of the Rulers in absolute terms.

To really appreciate what has been mentioned here the forthcoming GRV070016.

AN IMPORTANT NOTE:

⁸ Shaikh Muhammad bin Ibraaheem said, “The laws (al-qawaaneen) are kufr, the belief (I’tiqaad) that they are permissible and are decisive (haakimah).” (Majmoo’ Fataawaa Ibn Ibraaheem 12/280).

Shaikh Ali Hasan al-Halabi quotes some good words of Shaikh Abdur-Rahmaan bin Mu’alla al-Luwaihiq who said in his book “al-Ghuluww Fid-Deen” (p.291) concerning the six types of kufr in belief mentioned by Shaikh Ibn Ibraheem in Tahkeem ul-Qawaaneen, “That which is apparent, and Allaah knows best, is that he – rahimahullaah – mentioned the first four types with expressions that indicate that they are in conformity with the rules and principles of making takfir of a specific and known individual (muy’ayyan) from amongst the Rulers, and this is why he used words which are in reference to a specific person. So he said, “... **that he rejects (An yajhada)**” and also “... **that he believes (An ya’taqida)**”... And as for the last two types, then he has intended “takfir an-nau’ (takfir by way of type, or takfir of the action)” by them. For this reason (in these latter two cases) **he has made his words revolve around the actual action (fi’l) itself, not the doer (faa’il)**. And built upon this, it is necessary, in the case of making the takfir of a specific individual who has fallen into any of the last two types, **that reference is made to the principles contained in the first four types**”. (Refer to Saihatu Nadheer p.97).

And this is what is apparent when one brings all of these affairs, in that takfeer is upon the tafseel of the Salaf, and is not made absolutely, unrestrictedly.

⁹ The saying of Shaikh Ibn Ibraaheem in his Fataawaa (1/80) dated 9/1/1385H – five years after Tahkim ul-Qawanin was published: “And likewise, the implementation of the meaning of ‘Muhammad is the Messenger of Allaah’ is by judging to his Shari’ah and confining oneself to that whilst rejecting whatever opposes it from the secular laws and all those matters for which Allaah gave no authority. And the one who judges by them (hakama bihaa) or refers to them (haakama ilaihaa) - for judgement **whilst believing in the correctness (sihha) of that or the permissibility (to judge by them) (jawaaz)**, then he is a kaafir with the kufr that ejects from the religion. And if he does that **without belief (I’tiqaad) in their correctness and (regarding it) permissible to judge by them (jawaaz)**, then he is a kaafir with the kufr in action, which does not eject from the religion.”

If we were to carry the takfir of the Tartars, in an absolute manner, - based purely on the issue of judging by the Yaasiq of Genghis Khan, then this would necessitate the takfir of a large number of ordinary Muslims who judge to the secular laws in their disputes, whether related to social affairs, like marriage and so on, or affairs related to business or otherwise. And all of them judge to the secular, pagan laws – whether in the lands of the Non-Muslims themselves, or otherwise. So if we were to apply the words of Ibn Katheer, unrestrictedly, then that would make the judgement of takfir upon a large number of common-Muslims, who are actually ignorant.

There is nothing in the Takfir of the Tartars that indicates that the Takfir is “‘alal-ittlaaq”, i.e. in absolute terms. Rather, we find that looking at the words of other scholars, there is what indicates that there is tafseel to the matter. Such as the saying of Shaikh Ibn Ibraaheem as has preceded.

Then there is the saying of the Allaamah, Shaikh Abdul-Lateef bin Abdur-Rahmaan Aal ash-Shaikh, “...and it is forbidden to pass judgement (tahkeem) when the judgement is based upon a false (baatil) Sharee’ah which opposes the Book and the Sunnah, **such as the laws of the Greeks (Ahkaam Yoonaan) and those of Europe, and those of the Tartars, and their various legislative codes (qawaaneen) the source of which are their own opinions and desires. Similar to this are the various cultural and customary practices of the Bedouins.** Hence, whoever made it lawful to judge (istahalla) by [any of] this in the issues pertaining to blood, or other than it is a Kaafir. Allaah the Most High said, **“And whosoever does not judge by what Allaah has revealed, they are the Unbelievers”** (5:44). And concerning this verse, some of the Mufasssiroon have said that the kufr intended here is the kufr that is lesser than the Major kufr (kufr doona kufr al-akbar), because they understood that this verse applies to whoever judges by other than what Allaah has revealed but does not make that lawful (ghayr mustahill). But they do not dispute amongst themselves regarding its application in general to the mustahill (one who makes it lawful), and that the kufr in this case is the one that expels from the religion.” (Minhaaj ut-Ta’ssees, p.71).

Shaikh ul-Islaam Ibn Taymiyyah said, **“There is no doubt that the one who does not believe (i’taqada) in the obligation to rule by what Allaah has revealed is a disbeliever. Hence, whoever declares it permissible (istahalla) to judge amongst the people with what he considers to be justice, without following what Allaah has revealed, then he is a disbeliever.** There is no nation except that it orders ruling with justice. And sometimes justice, as perceived by its senior leaders, can exist in its religion. Many of those who ascribe themselves to Islaam judge by their customs that Allaah has not revealed, such as the ancestral customs of the bedouins. And the chiefs (umaraa) were obeyed (in this) and **they used to consider that it is desirable to judge by these such customs, without the Book and the Sunnah. And this is disbelief.** For many people have accepted Islaam but along with this they do not judge except by their natural [inherited] customs, those that are ordered by those whom they obey. **So if they know (‘arafoo) that it is not permissible to judge except by what Allaah has revealed and did not adhere to that, but in fact declared it to be lawful (istahalloo) for themselves to judge in opposition to what Allaah has revealed, then they are disbelievers.**

And if not [i.e. did not declare it lawful for themselves] then they are [merely] ignorant people – as has preceded about them” Minhaaj us-Sunnah (5/130)

Hence, the takfir of individuals, is upon the tafseel of the Salaf, in that when a person judges to the secular laws, (whether the customs of the Bedouins, or the customs of the Tartars, or the modern secular laws), then tafseel is adhered to in that the person is not declared a kaafir, unless he makes it permissible, or considers the secular law to be better, or equal to Allaah’s Law and so on, or the one who praises and aggrandises the originator of these laws, thinking him and his law to be great and decisive and so on, just like the Tartars did with the Yaasiq of Ghengis.

As for using the takfir of the Tartars and Genghis Khan in particular, for analogising between this and the takfir of the Rulers today who rule by the secular laws, then refer to MNJ050018 for a detailed treatment of that.